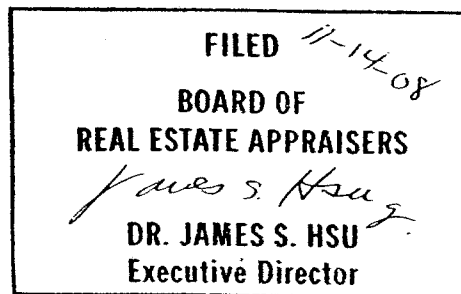


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COPY

STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
NEW JERSEY STATE BOARD
OF REAL ESTATE APPRAISERS

CERTIFIED TRUE COPY

IN THE MATTER OF THE SUSPENSION :
OR REVOCATION OF THE LICENSE OF :

JOSEPH TOOLEN
License #RA00606

TO ENGAGE IN REAL ESTATE
APPRAISING IN THE STATE
OF NEW JERSEY

CONSENT ORDER

This matter was opened to the New Jersey State Board of Real Estate Appraisers ("the Board") in connection with the Board's receipt of information regarding an appraisal report bearing respondent's name and license number, but which had not been signed by respondent. The report also bore the electronic signature of Allan Rosenberg, a trainee with whom respondent

worked briefly in 2003. Respondent indicated that he had signed four appraisal reports as a supervisory appraiser for Allan Rosenberg: the appraisal of 406 13th Avenue, Newark, dated December 1, 2003; 695-697 Clinton Avenue, Newark, dated November 25, 2003; 90 Peabody Place, Newark, dated October 1, 2003; and 656 South 20th Street, Newark, dated November 25, 2003. The Board finds that respondent failed to directly supervise the trainee who prepared these appraisal reports, as required by N.J.A.C. 13:40A-4.6: respondent had never worked with Mr. Rosenberg, and yet he did not accompany Mr. Rosenberg even once to any of the four subject properties to observe the manner in which he worked and evaluate his skills; moreover he relied entirely upon Mr. Rosenberg's assertion in the report with respect to the degree of renovation of the properties, without having observed the interior of the properties, or viewing photographs of the interior of the properties.

In addition, the Board finds that respondent acted in violation of the Recordkeeping provision of the Conduct Section of the Ethics Rule of the Uniform Standards of Professional Appraisal Practice (the USPAP), in that he failed to maintain workfiles for the four appraisal reports indicated above, which he signed as supervisory appraiser, even though he testified that within several months after his business relationship with Allan Rosenberg was terminated, he became aware that there was an

appraisal report in existence bearing his name and license number, and prepared by Allan Rosenberg, which he had not signed. Respondent maintained only copies of the reports, without the workfiles, and consequently was unable to respond to questions concerning the information upon which he relied in supervising Mr. Rosenberg in the preparation of the appraisal reports.

The Board has determined that in the performance of these reports respondent acted in violation of the Uniform Standards of Professional Appraisal Practice, subjecting him to sanctions pursuant to N.J.A.C. 13:40A-6.1 and N.J.S.A. 45:1-21(e) in the performance of the above-referenced appraisal assignments.

The parties having determined to resolve this matter without further proceedings, and without admissions, respondent having waived any right to a hearing and the Board finding that the within Order is sufficiently protective of the public, and for other good cause shown,

IT IS ON THIS 14th DAY OF November , 2008,

HEREBY ORDERED AND AGREED THAT:


1. A public reprimand is hereby imposed upon respondent for the violation of N.J.S.A. 45:1-21(e).
2. Respondent shall pay a civil penalty in the amount of \$1,500.00. Payment shall be in the form of a certified check or money order made payable to the State of New Jersey, and forwarded to the Board along with this signed Order.

3. Respondent shall pay costs of investigation in the amount of \$722.10. Payment shall be made in the form of a certified check or money order made payable to the State of New Jersey, and shall be forwarded to the Board along with this signed Order.

NEW JERSEY STATE BOARD
OF REAL ESTATE APPRAISERS

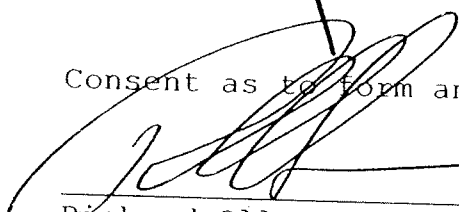
By: Cheryle A. Randolph-Sharpe
Cheryle Randolph-Sharpe
Board President

I have read the within Order
and agree to be bound by its terms.



Joseph Toolen

Consent as to form and entry:



Richard Oller, Esq.